

REMARKS/ARGUMENTS

Claims 1-16, 18 and 25-33 are pending. Claims 1, 4, 7, 8, 16 and 18 are amended. Claims 17 and 19-24 are canceled without prejudice or disclaimer. New claims 25-33 are submitted.

In response to the Office Action, favorable reconsideration of and allowance of the present application are respectfully requested. The Office Action rejects claims 1-7 and 10-18 under 35 U.S.C. § 103 as unpatentable over Kelly in view of Guiard. In addition, claims 8 and 9 were rejected as obvious in view of the foregoing references, and further in view of Coburn. Further, the claims were rejected under 35 U.S.C. § 112 due to language alleged as not supported by the present specification. For the reasons set forth in detail below, it is respectfully submitted that this application is now in condition for allowance.

Initially, with regard to the rejection under 35 U.S.C. § 112, it is respectfully submitted that the rejection was based upon an incorrect understanding of the present claims. Original claims 1 and 16 set forth that the lid and support are articulated to one another, with the articulation provided by “one of” the arrangements specified in subparagraphs (i) and (ii). The claims did not require two stickers or two stickers that form a mirror as the Office Action suggests. Nevertheless, to render moot the assertion of the Office Action, the claims are amended such that claim 1 includes the arrangement in which the sticker forming the mirror is adhesively bonded to one of the faces of the lid and one of the faces of the support to provide the articulation between the lid and the support, while claim 16 recites that the articulation between the support and the lid is provided by an adhesive sheet fixed onto a face of the lid and a face of the support, with the adhesive sheet further closing off the second opening of the cavity of the support. It is respectfully submitted that the claims fully satisfy the requirements of 35 U.S.C. § 112. However, should the Examiner deem that any further

clarification is needed, he or she is encouraged to contact Applicant's undersigned representative by telephone so that satisfactory language can be agreed upon.

With regard to the rejections based on prior art, it is respectfully submitted that Kelly fails to disclose or render obvious the combined features of the present claims, even when considered in conjunction with the remaining cited references. Specifically, as noted above, present claim 1 includes the feature in which the lid and the support are articulated to each other by a sticker which forms a mirror, with the sticker bonded to one of the faces of the lid and one of the faces of the support. Kelly fails to disclose or suggest such an arrangement. In addition, Kelly fails to disclose or suggest the feature of claim 16, in which the lid and support are articulated to each other by an adhesive sheet fixed onto a face of the lid and a face of the support, with the adhesive sheet additionally closing off a second opening of the cavity which extends through the support, and with the portion of the adhesive sheet which covers the second opening directly facing the product contained within the cavity.

In accordance with the present invention, Applicant has recognized arrangements which can be advantageous in reducing the number of components, manufacturing cost, and/or the size of the arrangement. Accordingly, the arrangement can be particularly advantageous for packaging of sample products, for example, so that the device can be included in a magazine sample or otherwise. It is respectfully submitted that Kelly and the remaining cited references fail to disclose or suggest the combined features of the present claims.

Kelly discloses the use of a sticker for articulating a support and base. However, there is no disclosure or suggestion as to a sticker which forms a mirror, and which also provides the articulation between a support and a lid. Guiard does not overcome the deficiencies of Kelly. Specifically, even if the foil seal 26 of Guiard could be considered as a mirror there is no disclosure or suggestion as to a sticker forming a mirror which is

adhesively bonded to both a lid and a support to provide the articulation between a lid and the support. Accordingly, even considering the collective teachings of Kelly and Guiard, the present invention as set forth in claim 1 would not result.

Further, Kelly and Guiard fail to disclose or suggest the features of the claim 16, as neither references teaches an adhesive sheet which provides an articulation between a lid and a support, with the adhesive sheet also closing off a second opening of a cavity, and with a portion of the adhesive sheet which closes the second opening directly facing the product contained in the cavity. With the arrangement of Kelly, the product is retained in a pan 12a (paragraph 0027 of Kelly) or with a cloth material 20 which covers the opening (paragraph 0026, and figure 3). There is no disclosure in Kelly as to the use of an adhesive sheet which both provides an articulation between a lid and a support and closes off a second opening of a cavity extending through the support with the portion of the adhesive sheet covering the second opening directly facing the product in the cavity.

The teachings of Coburn and the remaining cited references fail to overcome the deficiencies of Kelly and Guiard.

In view of the foregoing, it is respectfully submitted that the cited references fail to disclose or render obvious the combined features set forth in claim 1 and 16. The cited references also fail to disclose or suggest the numerous features set forth in the present dependent claims, particularly in combination with the features of claims 1 and 16. Further, Applicant disagrees with the assertions of the Office Action that certain features (for example, the thicknesses of the lid and support components) are mere matters of optimization. Instead, these features particularly point out the fact that the present invention is particularly advantageous in providing a small device, for example, for product samples, and the combined features of the present claims are particularly advantageous in this context. As recognized in the Office Action, Kelly and the remaining cited references do not disclose

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or suggest such features, nor is there any teaching relied upon in the Office Action that would suggest modification of Kelly to include such features. Further, certain dependent claims (for example, claims 27, 31 and 33) recite that the removable cover and/or the adhesive sheet are directly in contact with the product disposed in the cavity. Such features further emphasize the purposes and advantages of the present invention in that certain components (e.g., the adhesive sheet) can perform multiple functions, and with the closure elements directly in contact with the product, the dimensions of the arrangement can be reduced, to provide an arrangement particularly advantageous, for example, for a low cost small size sample device. Such features are also not disclosed or suggested by the cited references. Accordingly, it is submitted that the present dependent claims include numerous features which are also not disclosed or suggested by the cited references.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A Notice of Allowance for claims 1-16, 18, and 25-33 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, he or she is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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